

5' X-A-P-B-Q-C-Y 3'

in which

- X comprises a splice acceptor sequence;
Y comprises a polyadenylation signal;
P is an internal ribosome entry site (IRES);
Q is the heterologous gene sequence, including a translation start codon; and

A, B and C are, separately, optional linker sequences.

27. (Amended) A method according to Claim 26 wherein the heterologous gene coding sequence also codes for a selectable marker[, such as antibiotic resistance,] and the method comprises selecting cells that express the selectable marker.

32. (Amended) A DNA construct for randomly inserting a heterologous gene sequence into a host genome, said construct lacking a promoter and comprising the sequence:

5' X-A-P-B-Q-C-Y 3'

in which

- X comprises a splice acceptor sequence;
Y comprises a polyadenylation signal;
P is an internal ribosome entry site (IRES);
Q is the heterologous gene sequence, including a translation start codon; and

A, B and C are, separately, optional linker sequences.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, CARRETT
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

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34. (Amended) A DNA construct according to Claim 32 in which the heterologous gene sequence additionally codes for a selectable marker[, such as antibiotic resistance,] to facilitate selection of cells containing an heterologous gene has been inserted into an endogenous gene.

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41. (New) A method according to Claim 22 wherein the heterologous gene coding sequence also codes for antibiotic resistance, and the method comprises selecting cells that express the antibiotic resistance.

42. (New) A DNA construct according to Claim 32 wherein the heterologous gene sequence additionally codes for antibiotic resistance.

REMARKS

Applicants have canceled claims 35-40, without prejudice to their rights to prosecute these claims in a later filed application. Claims 22, 27, 32, and 34 have been amended to render the language of the claims more clear and definite. Applicants have added claims 41-42 directed to subject matter deleted, for purposes of clarity, from claims 27 and 34. No new matter has been added by these amendments.

RESPONSE TO RESTRICTION REQUIREMENT

Applicants confirm their election to continue prosecution of claims 22-29 and 32-40 (Group 1) drawn to methods of inserting heterologous gene coding sequences into a eukaryotic host genome. The Examiner has withdrawn claims 30-31 (Group 2) from further consideration.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT
& DUNNER, L.L.P.
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WASHINGTON, DC 20005
202-408-4000